

## LISTING OF THE CLAIMS

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently amended) A trocar for performing a procedure on a patient, said trocar comprising:
  - a. a hollow cannula having a distal end and a proximal end;
  - b. a housing having a distal end attached to said proximal end of said cannula and a proximal end having a wall attached thereto, said wall having an aperture therethrough;
  - c. an instrument seal assembly disposed within said housing comprising a first substantially rigid ring, a second substantially rigid ring, and a plurality of separate semicircular seal segments compressed therebetween, each seal segment having a circumference greater than 180 degrees and being adapted to sufficiently seal against instruments positioned through the seal to maintain gas pressure in the abdominal cavity during endoscopic surgical procedures.
  - d. a zero closure valve disposed distally of and spaced from the instrument seal, the zero closure seal operable to provide a seal in absence of an instrument positioned through the housing.
2. (Previously Amended) The trocar according to claim 1 wherein said plurality of layered elastomeric members form a non-planar shape.

3. (Original) The trocar according to claim 1 wherein said elastomeric members comprise a proximal flange portion, and an inwardly extending portion extending distally therefrom, wherein said proximal flange portions are disposed between and are abutting against said rings.
4. (Previously Presented) The trocar according to claim 1 wherein said seal assembly has an outer perimeter which is attached to a flotation means.
5. (Original) The trocar according to claim 1 wherein said seal assembly includes a plurality of protectors disposed proximal to said elastomeric seal.
6. (Original) The trocar according to claim 1 wherein said layered elastomeric members are disposed such that there is a substantially centrally located aperture in said seal assembly.
7. (Previously Cancelled)
8. (Previously Presented) The trocar according to claim 1 wherein said plurality of elastomeric layers have a non-planar shape prior to being assembled together.
9. (currently amended) A trocar for performing a procedure on a patient, said trocar comprising:
  - a. a hollow cannula having a distal end and a proximal end;
  - b. a housing having a distal end attached to said proximal end of said cannula and a proximal end having a wall attached thereto, said wall having an aperture therethrough;

- c. an instrument seal assembly disposed within said housing comprising a first substantially rigid ring, a second substantially rigid ring, and a plurality layered elastomeric members compressed therebetween, the elastomeric members being arranged circumferentially about an aperture in an alternating over and under pattern to cooperatively seal against instruments positioned through the aperture sufficiently to maintain gas pressure in the abdominal cavity during endoscopic surgical procedures; and
  - d. a plurality protrusions connecting the first and second rings and the elastomeric members.
  - e. a zero closure valve disposed within the housing and spaced from the instrument seal, the zero closure valve operable to provide a seal in the absence of an instrument positioned through the housing.
10. (Previously amended) The trocar according to claim 9 wherein said plurality of layered elastomeric members form a non-planar shape.
11. (Original) The trocar according to claim 10 wherein said elastomeric members comprise a proximal flange portion, and an inwardly extending portion extending distally therefrom, wherein said proximal flange portions are disposed between and are abutting against said rings.
12. (Previously Cancelled)
13. (Previously Cancelled)
14. (Previously Cancelled)

15. (Previously Cancelled)

16. (Previously Cancelled)

17. (Previously Presented) A trocar for performing a procedure on a patient, said trocar comprising:

- a. a hollow cannula having a distal end and a proximal end;
- b. a housing having a distal end attached to said proximal end of said cannula and a proximal end having a wall attached thereto, said wall having an aperture therethrough;
- c. a seal assembly disposed within said housing comprising a first substantially rigid ring, a second substantially rigid ring, and a plurality of semicircular elastomeric members compressed therebetween, the elastomeric members circumscribing an aperture in an interwoven pattern and cooperate to sufficiently seal against objects positioned within the aperture to maintain gas pressure in the abdominal cavity during endoscopic surgical procedures.

18. (Previously Cancelled)

19. (Original) The trocar according to claim 17 wherein said elastomeric members comprise a proximal flange portion, and an inwardly extending portion extending distally therefrom, wherein said proximal flange portions are disposed between and are abutting against said rings.

20. (Previously Cancelled)

21. (Previously Cancelled)

22. (Previously Cancelled)

23. (Previously Presented) The trocar according to claim 17 wherein said plurality of elastomeric layers are interwoven.

24. (Previously Presented) The trocar according to claim 17 wherein said plurality of elastomeric layers have a non-planar shape prior to be assembled together.

Claims 25-33 (canceled)